

ACCOUNTABILITY REPORT
OF THE LEGISLATIVE COUNCIL
OF THE SOUTH CAROLINA GENERAL ASSEMBLY
FISCAL YEAR 2001-2002

Accountability Report Transmittal Form

Agency Name: Legislative Council of the South Carolina General Assembly

Date of Submission: September 13, 2002

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Section I. Executive Summary

EXECUTIVE SUMMARY:

(A) The Code Commissioner for the State of South Carolina is elected by majority vote of the Legislative Council of the General Assembly of South Carolina (§2-13-10) and as such also serves as Director of the Legislative Council (§2-13-15). The Legislative Council consists of the President of the Senate, the Speaker of the House of Representatives, the Secretary of State, the Chairman of the Senate Judiciary Committee, and the Chairman of the House of Representatives Judiciary Committee (§2-11-10).

The Legislative Council does not have nor administer programs but is divided into divisions or sections for purposes of performing its assigned duties (§2-11-60). The organizational chart attached to this report reflects the manner in which Council personnel are organized to perform assigned duties. The Legislative Council is responsible for the organization and operation of the research, reference, and bill drafting services provided to the General Assembly (§2-11-50). The Code Commissioner is responsible for the compilation and publishing of the permanent statutes of the State of South Carolina including the South Carolina Code of Laws, annual cumulative supplements to the Code, revised volumes of the Code, annual advance sheets of statutes, and the annual Acts and Joint Resolutions of the General Assembly (Chapter 13, Title 2). Pursuant to Chapter 23 of Title 1 (the Administrative Procedures Act), the Legislative Council is charged with the custody, preparation, and distribution of regulations of state agencies and other applicable documents in the Code of State Regulations and the *State Register* and is required to perform various ancillary duties including maintenance of the legislative library (§2-11-70), duties in regard to the preparation of uniform laws for the several states through the Commission on Uniform State Laws (§1-21-20), and duties in regard to the South Carolina Judicial Council (§14-27-20).

The Legislative Council receives the assistance of the South Carolina Attorney General, the Department of Archives and History, and other state agencies and officers, including the Secretary of State, in its duties of drafting and compiling the general statutory laws of this State and its regulations (§§2-13-140, 1-23-70).

Finally, the Legislative Council as an agency of the General Assembly serves its members and the various standing committees.

(B) The Legislative Council's mission is fourfold:

First, it provides research, reference, and bill drafting services to the General Assembly.

Second, it codifies the statutory laws of this State into various publications mandated by state law.

Third, it establishes and implements all procedures for carrying out the provisions of the Administrative Procedures Act relating to the General Assembly review of regulations and the publication of the *State Register*.

Fourth, it maintains a legislative library where the codes of the various states and of the United States, and the acts and joint resolutions, Senate and House Journals, and various other books, publications, and documents are maintained.

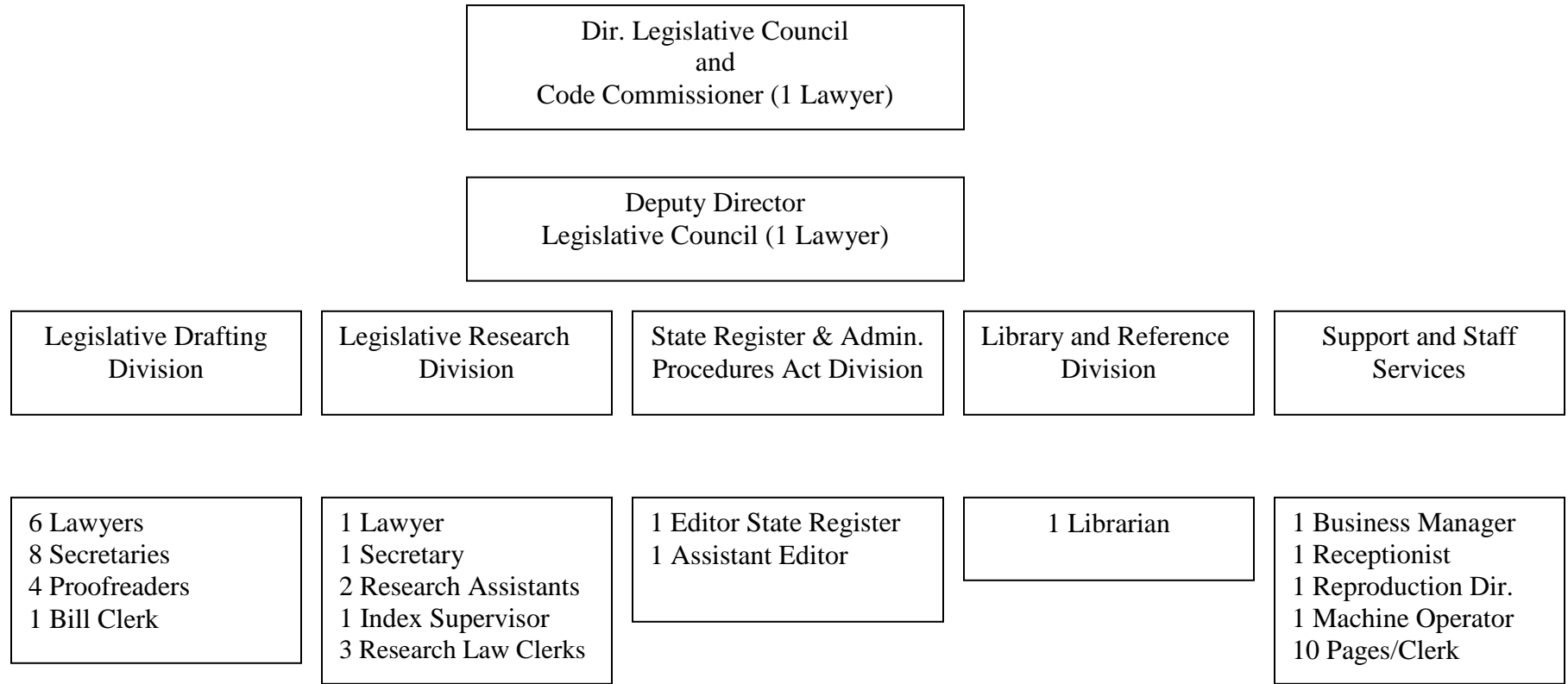
Section II. Business Overview

1. Number of employees 46
2. Operation locations Suite 434 Dennis Building, 1000 Assembly Street
Columbia, South Carolina 29201
and
First and Second Floor, State House
Columbia, South Carolina 29201
3. Expenditures/appropriations chart

See attached
4. Key customers
 - a. Members and staffs of the General Assembly.
 - b. Public sector and private sector recipients of Code and *State Register* publications.
5. Key suppliers

West Group
Xerox Corporation
State Budget and Control Board
6. Description of major products and services
 - a. Legal services to the members of the General Assembly and its standing committees and staff.
 - b. 1976 Code and *State Register* publications to designated public sector and private sector recipients.

7. Organizational structure.



Section III. Elements of Malcolm Baldrige Award Criteria

Category 1. Leadership

The Leadership Category explains the organization's leadership system and senior leaders' personal leadership skills. It describes how senior leaders set direction, performance expectations and address values, as well as how they focus on measures and responsibilities to their community.

The direction of this agency is set by its five person governing board as reflected in the executive summary, which is chaired by Speaker of the House, David H. Wilkins. The director of the Legislative Council executes the policies of the governing board in addition to supervising those functions required to be performed by state law also referenced in the executive summary. On a day to day basis during the legislative session, the agency rotates into its State House offices on a weekly basis alternate teams headed by the deputy director and chief counsel respectively who are empowered to make all necessary decisions as would the director. The agency also has a number of different procedures to ensure the timeliness and accuracy of its legislative drafting work product and each employee understands his role in this process and is empowered to and expected to take whatever actions that maybe necessary on his own to correct any problems identified.

Category 2. Strategic Planning

The Strategic Planning Category describes your organization's strategy development process and how strategy and plans are deployed and performance is tracked.

1. What is your Strategic Planning process, including participants, and how does it account for:

a. Customer needs and expectations?

Our strategic planning process is developed annually by the Director and key staff and is submitted annually to the Chairman of the Legislative Council for the Council's review and approval. It accounts for customer needs and expectations through interaction with and visits to members of the General Assembly and the staffs of the standing committees of the General Assembly.

b. Financial, societal and other risks?

These areas are monitored through close review of the monthly reports of the Board of Economic Advisors and what guidance is given to state agencies from the Budget Division of the State Budget and Control Board as well as other applicable entities.

c. Human resource capabilities and needs?

Human resource capabilities and needs are planned annually by the Director and key staff within the needs of the agency and within the appropriations made to the agency by the General Assembly.

d. Operational capabilities and needs?

Operational capabilities and needs are planned annually by the Director and key staff within the needs of the agency and within the appropriations made to the agency by the General Assembly.

e. Supplies/contractor/partner capabilities and needs?

The major supplier for the agency is the West Group, which by contract is the print publisher of the 1976 Code. In addition the West Group and other vendors through licensing agreements also provides electronic, CD Rom, and Internet distribution of the 1976 Code. The capabilities and needs of each of these suppliers is monitored through daily or weekly contact with the key

personnel of these suppliers as well as appropriate modifications to existing contract and agreements when required.

2. How do you develop and tract action plans that address your key strategic objectives?

Action plans that address the agency's key strategic objectives are developed annually by the Director together with key staff. These are then communicated to staff both orally at staff meetings and in writing and are tracked by personnel assigned to that particular activity or objective.

3. How do you communicate and deploy your strategic objectives, action plans and performance measures?

Strategic objectives, action plans, and performance measures are communicated and deployed both orally and in writing to affected personnel and outside recipients.

Category 3. Customer Focus

The Customer Focus Category describes how your organization identifies its customers and their requirements. Also examined is how your organization builds relationships with customers and determines their satisfaction.

1. Identify key customers and stakeholders.

Key customers and stakeholders are members of the General Assembly, its staff, and the staff of the standing committees as well as public sector and private sector recipients of key publications including the 1976 Code and *State Register*.

2. How do you determine who your customers are and what are their key requirements?

Our customers are determined by the statutory provisions of law and our customers' key requirements are determined through daily and session interaction with them.

3. How do you keep your listening and learning methods current with changing customer/business needs?

Our listening and learning methods are kept current with changing customer and business needs through a monitoring of these needs through electronic and face-to-face means.

4. How do you use information from customers/stakeholders to improve services or programs?

Information to customers and stakeholders to improve services or programs is incorporated into the agency's procedures, products, or services to provide the best possible legal products and services. We meet at least monthly with the West Group representative for South Carolina to go over needs, requirements, and results.

Additionally, we receive a number of inquiries from the courts and constituent groups regarding various questions about the provisions of South Carolina law. As a result of some of these inquiries, we developed and made available on the Internet the South Carolina Code of Laws for general public use.

5. How do you measure customer/stakeholder satisfaction?

Customer/stakeholder satisfaction is measured through solicited comments and surveys.

6. How do you build positive relationships with customers and stakeholders? Indicate any key distinctions between different customer groups.

Positive relationships with customers and stakeholders are built through daily and session interaction with them. In the case of the General Assembly, and by written and electronic correspondence with public sector and private sector publication recipients. The agency has two state customer groups broadly grouped as the General Assembly and secondly public sector publication recipients.

Category 4 – Information and Analysis

The Information and Analysis Category describes your organization's performance measurement system and how your organization analyzes performance data and information.

1. How do you decide which operations, processes and systems to measure?

As the agency operations, processes, and systems are limited to providing legal services for the General Assembly and the dissemination of publications, all operations, processes, and systems are measured, and it is not necessary to decide which to measure.

2. How do you ensure data quality, reliability, completeness and availability for decision-making?

Data quality, reliability, completeness, and availability for decision-making is ensured through development of trained personnel, review by supervisory personnel, and through checks against outside sources.

3. How do you use data/information analysis to provide effective support for decision-making?

Data/information analysis is used to provide effective support for decision-making primarily in the areas of business and finance management through comparative analysis with internal and external sources.

4. How do you select and use comparative data and information?

Comparative data and information are selected and used essentially through the acquisition of comparative data and information from other sources in the agency's bill drafting operations (from what other states have done or model legislation) and then used to develop appropriate legislative proposals for South Carolina.

Category 5 – Human Resources

This Category describes how your organization enables employees to develop and utilize their full potential, aligned with the organization's objectives. It also describes how work environment and organizational climate improvement efforts are used to ensure full employee participation, growth and satisfaction.

1. How do you and your managers/supervisors encourage and motivate employees (formally and/or informally) to develop and utilize their full potential?

This agency is a small agency that provides legal services to the General Assembly. Employees are encouraged and motivated through annual reviews and compensation increases based on individual performances and through formal and informal recognition for their performances.

2. How do you identify and address key developmental and training needs, including job skills training, performance excellence training, diversity training, management/leadership development, new employee orientation and safety training?

This agency has invested considerable resources, effort, and expense to develop a training and drafting manual developed by our training coordinator/human resource director that is used by us and which has been requested by many outside agencies including standing committees of the General Assembly and members of the court system. A strong effort to achieve diversity has been undertaken in hiring and new employees are given a sponsor to whom they may go to with questions or problems. Lastly, safety training is accomplished through an annual review of safety inspections including procedures and routes required in the case of fire or other evacuation.

3. How does your employee performance management system, including feedback to and from employees, support high performance?

We have one employee who functions as a combination business manager, account and payroll clerk, and human resource coordinator. Therefore, as a small agency, it is possible and encouraged for all individual employees to provide immediate feedback to this business manager or to the Director in order to support high performance.

4. What formal and/or informal assessment methods and measures do you use to determine employee well being, satisfaction, and motivation?

A number of formal and informal assessments and measures are used to ensure employee well-being, satisfaction, and motivation. These include a procedure for employee suggestions as well as a procedure for appropriate supervisors to brief all employees on key activities of the agency. For example, a result of an employee's suggestion that a way be found to become more familiar with local government issues since we work primarily with state government, a plan was developed to bring local officials before the entire agency to share the requirements of their office. We have had various local government and state officials address our staff describing their duties and functions.

5. How do you maintain a safe and healthy work environment?

We maintain a safe and healthy work environment through constant inspections and improvements to ensure employee safety in many areas. In regard to employee physical safety, mechanisms have been developed in consultation with House and Senate Security to ensure the safety of all employees and their property while working at any hour. A healthy work environment is ensured through similar procedures including the monitoring of radon levels in the State House in areas where two employees are located in spaces with large granite blocks.

6. What is the extent of your involvement in the community?

The agency's involvement in the community is substantial. Employees of the agency speak at many local functions to include service clubs, churches, municipal and county organizations, and before other state agencies. We also participate in a number of continuing legal education programs. In addition, employees of the agency offer their time and talents to the community through such things as pro bono programs and school, civic, and church endeavors.

Category 6 – Process Management

This Category describes key aspects of your organization's process management, including customer-focused design, product and service delivery, support, and supplier/contractor/partnering process involving all work units.

1. What are your key design and delivery processes for products/services, and how do you incorporate new technology, changing customer and mission-related requirements, into these design and delivery processes and systems?

We have designed our bill drafting procedures to ensure timeliness and accuracy. First, an attorney takes the request and develops a draft. It is then checked by a supervising attorney and then edited for grammar and content. After a bill has gone through the General Assembly, the review process is again completed before ratification.

The technology of this agency is provided not by the agency but by a separate agency known as Legislative Printing and Information Technology Systems (LPITS). Therefore, the improvements to the technology delivery system of this agency are handled by LPITS.

2. How does your day-to-day operation of key production/delivery processes ensure meeting key performance requirements?

The day-to-day operation of key production/delivery processes ensuring the meeting key performances requirements are essentially monitored through the bill introduction sheets of both the House and the Senate to ensure accuracy and correctness of all documents produced not only by this agency but by both the House and Senate as well.

3. What are your key support processes, and how do you improve and update these processes to achieve better performance?

Key support processes to achieve and ensure better performance are updated daily and periodically through such things as constant updating of House and Senate rosters and addresses constant updating and modification of publication recipients, and close review of applicable court decisions.

We have several key support processes in our bill drafting procedures. We developed and use a computer tracking system for all our bills keyed to the

names of individual members of the General Assembly so we can access this information immediately. Secondly, we maintain cross-indexed files to provide accurate references to all work products. Also, we have at least three different checks that a bill goes through in our system to ensure accuracy and correctness.

4. How do you manage and support your key supplier/contractor/partner interactions and processes to improve performance?

Key supplier interactions to improve performance are managed through constant verbal, electronic, and written contact through the personnel in this agency assigned such duties and the supplier involved in the performance of those duties.

Each fall after the General Assembly has adjourned, the print publisher of the 1976 Code transmits to us computer data known as allocation sheets from which we with them make editorial decisions determining the content of the annual cumulative supplement to be distributed that December. This also helps ensure the accuracy and correctness of our publication.

Category 7 – Results

This category describes your organization's performance and improvements in: customer satisfaction, product and service performance, financial, mission accomplishment, employee results, supplier and partner results and operational performance. Information is typically displayed by the use of performance measures.

1. What are your performance levels and trends for the key measures of customer satisfaction?

The performance levels and results for each operation function by divisions of this agency are as follows:

(A) Research, Reference, and Bill Drafting Division

(a) This division during fiscal year 2001-2002, including the 2002 Session of the General Assembly through September 13, 2002 produced many thousands of documents, including bills, amendments, and resolutions, which resulted in 1,531 bills and resolutions being introduced and 298 acts being ratified and enrolled during the 2002 Session to date.

(b) This division also prepares and distributes an annual analysis of statewide legislation enacted each year by the General Assembly which is

distributed to members of the General Assembly and other interested public sector and private sector recipients. The 2002 analysis of the Acts and Joint Resolutions enacted by the 114th General Assembly consisted of 312 pages.

(c) The legislative research section of this division during fiscal year 2001-2002 handled 2,007 research requests. These research requests came from members, their staffs, agencies with whom they were working, and constituents and were questions concerning the laws of this State or what the General Assembly has done in the past on certain issues. These requests were responded to both verbally and in writing on a timely basis.

(d) The Index Supervisor of the research section also prepares an index of the bills and resolutions introduced during a particular session of the General Assembly. This index is updated daily during the session to reflect introductions of the previous day. This index is the basis for the Legislative Digest prepared by Legislative Information Systems as well as all other indices reflecting the legislative actions of the General Assembly during a particular session. The index for the 2002 Session of the General Assembly contained in the latest 2002 Digest consists of 157 pages.

(B) The Code Codification Division:

Quantifiable performance measures of this division's goals include the timely meeting of all deadlines set by contract and by statute, high editorial quality of the compilation of the public statutes, and a low cost of accomplishing this division's objectives. For example, during fiscal year 1999-2000 and continuing into the current fiscal year, the Council in conjunction with the print publisher of the 1976 Code began a process to provide replacement volumes for four of the largest volumes in the Code with a goal of reducing the cost of the annual cumulative supplements. As noted under the Legislative Library Division, each year 1,750 copies of the annual cumulative Code supplement are distributed to the public sector recipients stipulated by law. Approximately 750 copies of the annual Acts and Joint Resolutions and Advance Sheets of statutes are also distributed to the recipients stipulated by law.

(C) The State Register Division:

(a) The State Register Division was established in 1977 when the Administrative Procedures Act was enacted.

(b) The Editor of the *State Register* establishes and implements procedures for carrying out the provisions of the Administrative Procedures Act relating to the publication of the *State Register*; compiles documents submitted for publication; distributes monthly publications; maintains subscriptions and

mailing lists; prepares and distributes annual indices of the *State Register*; maintains database.

This fiscal year there were twelve issues of the *State Register* published totaling 2,140 pages. Four hundred copies of each issue were printed and distributed to subscribers, clerks of court, county libraries, state agencies, members of the General Assembly, and state libraries.

(c) The Editor establishes and implements procedures for carrying out the provisions of the Administrative Procedures Act relating to the submission of regulations to the General Assembly for review; monitors, and coordinates legislative actions during the legislative review period; maintains official records and files containing documentation supporting actions in the promulgation of regulations; prepares indices on approved regulations of the Acts and Joint Resolutions; edits the *Standards Manual for Drafting and Filing Regulations* and the flow chart, *The Regulatory Process in South Carolina*; maintains a database; publishes approved regulations in the *State Register*; consults with the publishers of the South Carolina Code of Regulations.

(d) The number of documents processed by the State Register Division during fiscal year 2001-2002 is:

Number of Regulations Filed for General Assembly Review

| | |
|--------------------------------------|----|
| Carried over from 2000 Session | 25 |
| Submitted for 2001 Session | 87 |
| Approved 2001 Session | 66 |
| Carryover for 2002 Session | 14 |
| Withdrawn..... | 5 |

Number of Regulations Filed for Processing and Publication

| | |
|-------------------------------|----|
| Proposed..... | 88 |
| Emergency | 20 |
| Final/Federal Compliance..... | 7 |

Publication of the *South Carolina State Register*

Twelve issues published July 2001 through June 2002 (2,140 pages)

Four hundred copies of each issue printed

| | |
|-----------------------------------|-----|
| Number of paying subscribers..... | 138 |
|-----------------------------------|-----|

| | |
|--------------------------------------|-----|
| Number of nonpaying subscribers..... | 242 |
|--------------------------------------|-----|

Clerks of court

County libraries

State agencies

Members of the General Assembly
State libraries

(e) In an effort to reduce the costs of paper, printing, and postage to the State, as of June 30, 2002, the *South Carolina State Register* is no longer available to members of the General Assembly, officers, and employees of the State or state agencies, clerks of court, and county libraries in a hard copy printed format. These nonpaying subscribers are given on-line access via an access code to the *Register* through the South Carolina Legislature Online website. In addition, paying subscribers are offered electronic subscriptions in addition to, or in lieu of, the printed format.

(D) Legislative Library Division

(a) The Legislative Library Division maintains a comprehensive legislative library for use by the General Assembly. In addition, the Acts and Joint Resolutions, the House and Senate Journals, legislative digests, and other historic and legislative publications for each session of the General Assembly dating back to the early 1800□ are maintained. The United States Code Annotated as well as other state and federal publications also are maintained by this division.

(b) Each year the Legislative Library Division distributes 1,750 copies of the annual cumulative supplement to the public sector recipients stipulated by law. Also, the Legislative Library Division distributes approximately 750 copies of the annual Acts and Joint Resolutions and Advance Sheets of statutes to the recipients stipulated by law.

(c) This year the General Assembly also directed us for the first time to invoice specified public sector recipients of the Annual Cumulative Supplements to the Code in order to offset the deficits compiled in the Code Supplement Account due to budget cuts and lack of full funding.

2. What are your performance levels and trends for the key measures of mission accomplishment?

See answer to Question 1 above.

3. What are your performance levels and trends for the key measures of employee satisfaction, involvement and development?

Performance levels and trends for employee satisfaction, involvement and development are measured through increases in employee compensation and in employee retention. Employee compensation trends based on a review of the July

2002 compensation manual published by the Office of Human Resources of the State Budget and Control Board and the opinions of our employees indicate that they are comparably compensated with employees of other agencies. The employees retention is also good as evidenced by the fact that several retired employees have applied to continue to work for the agency after retirement. The recent fiscal downturn in state revenue collection has naturally concerned agency employees but with a process to involve them in all decision concerning employee matters has somewhat delayed this concern.

4. What are your performance levels and trends for the key measures of supplier/contractor/partner performance?

Performance levels to measure supplier performance essentially involves the cost to the agency of the Code and other publications which the agency supplies to public sector and private sector recipients in conjunction with the West Group which holds the print contract for the 1976 Code. The agency has developed a schedule to replace various volumes of the 1976 Code designed to cut down on per page cost of the annual cumulative supplement. This has resulted in a leveling off of the annual cost to produce the annual cumulative supplement. Other such measures have been implemented to ensure cost effective cost supplier performance levels.

5. What are your performance levels and trends for the key measures of regulatory/legal compliance and citizenship?

This agency has little regulatory or legal compliance issues. Citizenship issues are at a good performance level and are rising as previously explained in Category 5, Question 6.

6. What are your current levels and trends of financial performance?

Current levels and trends of financial performance are adequate given the present state of general fund revenues as reflected on the attached agency appropriations and expenditures chart. Additionally, an approved retirement incentive plan was offered to all qualified employees. Four employees opted to retire, thus optimizing our financial resources in the wake of budget reductions experienced by state agencies.

Accountability Report Appropriations/Expenditures Chart Example

Base Budget Expenditures and Appropriations

| | 00-01 Actual Expenditures | | 01-02 Actual Expenditures | | 02-03 Appropriations Act | |
|--------------------------------|----------------------------------|----------------------|----------------------------------|----------------------|---------------------------------|----------------------|
| Major Budget Categories | Total Funds | General Funds | Total Funds | General Funds | Total Funds | General Funds |
| Personal Service | \$1,711,219 | \$1,711,219 | \$1,650,791 | \$1,650,791 | \$1,598,780 | \$1,598,780 |
| Other Operating | \$679,484 | \$621,407 | \$635,989 | \$501,487 | \$652,568 | \$552,568 |
| Special Items | \$ | \$ | \$ | \$ | \$ | \$ |
| Permanent Improvements | \$-0- | \$-0- | \$-0- | \$-0- | \$-0- | \$-0- |
| Case Services | \$ | \$ | \$ | \$ | \$ | \$ |
| Distributions to Subdivisions | \$ | \$ | \$ | \$ | \$ | \$ |
| Fringe Benefits | \$416,882 | \$416,882 | \$517,310 | \$517,310 | \$417,699 | \$417,699 |
| Non-recurring | \$ | \$ | \$ | \$ | \$ | \$ |
| Total | \$2,807,585 | \$2,749,508 | \$2,804,090 | \$2,669,588 | \$2,669,047 | \$2,569,047 |

Other Expenditures

| Sources of Funds | 00-01 Actual Expenditures | 00-02 Actual Expenditures |
|-------------------------|----------------------------------|----------------------------------|
| Supplemental Bills | \$-0- | \$-0- |
| Capital Reserve Funds | \$-0- | \$-0- |
| Bonds | \$-0- | \$-0- |

Final: No further pages follow in this Accountability Report after the chart of Base Budget Expenditures and Appropriations.